

## TITLE 4

### MUNICIPAL PERSONNEL<sup>1</sup>

#### CHAPTER

1. SOCIAL SECURITY.
2. VACATIONS, SICK LEAVE, AND COMPENSATION FOR INJURED EMPLOYEES.
3. DRUG AND ALCOHOL TESTING.
4. OCCUPATIONAL SAFETY AND HEALTH PROGRAM.
5. TRAVEL REIMBURSEMENT REGULATIONS.
6. EMPLOYEE'S RETIREMENT PROGRAM.

#### CHAPTER 1

### SOCIAL SECURITY

#### SECTION

- 4-101. Policy and purpose as to coverage.
- 4-102. Necessary agreements to be executed.
- 4-103. Withholdings from salaries or wages.
- 4-104. Appropriations for employer's contributions.
- 4-105. Records and reports to be made.
- 4-106. Exclusions.

**4-101. Policy and purpose as to coverage.** It is hereby declared to be the policy and purpose of the City of Camden, Tennessee, to extend as of January 1, 1951, to employees and officials thereof, not excluded by law or this chapter, and whether employed in connection with a governmental or proprietary function, the benefits of the System of Federal Old-Age and Survivors Insurance as authorized by the Federal Social Security Act and amendments thereto, including Public Law 734, 81st Congress. In pursuance of said policy, and for that purpose, the city shall take such action as may be required by applicable state and federal laws or regulations. (1972 Code, § 1-701)

**4-102. Necessary agreements to be executed.** The mayor is hereby authorized and directed to execute all the necessary agreements and amendments thereto with the state executive director of old age insurance, as

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<sup>1</sup>Municipal code reference

Civil service commission: title 2, chapter 3.

agent or agency, to secure coverage of employees and officials as provided in the preceding section. (1972 Code, § 1-702)

**4-103. Withholdings from salaries or wages.** Withholdings from the salaries or wages of employees and officials for the purpose provided in the first section of this chapter are hereby authorized to be made in the amounts and at such times as may be required by applicable state or federal laws or regulations, and shall be paid over to the state or federal agency designated by said laws or regulations. (1972 Code, § 1-703)

**4-104. Appropriations for employer's contributions.** There shall be appropriated from available funds such amounts at such times as may be required by applicable state or federal laws or regulations for employer's contributions, and the same shall be paid over to the state or federal agency designated by said laws or regulations. (1972 Code, § 1-704)

**4-105. Records and reports to be made.** The municipality shall keep such records and make such reports as may be required by applicable state and federal laws or regulations. (1972 Code, § 1-705)

**4-106. Exclusions.** (1) There is hereby excluded from this chapter any authority to make any agreement with respect to any position or employee or official now covered or authorized to be covered by any other ordinance creating any retirement system for any employee or official of the city, (or any employee or official excluded by federal or state laws or regulations.) There is hereby further excluded from this chapter any authority to make any agreement with respect to employees rendering emergency services, employees rendering services in part-time and fee basis positions, and elective officials engaged in rendering legislative, executive and judicial services as classifications of employees and officials of all departments of city government.

Effective January 1, 1961, the mayor is hereby authorized and directed to make and enter into a supplement to the agreement of October 12, 1953 so as to extend the benefits of the System of Federal Old-Age and Survivors Insurance to include those employees and officials of said classifications.

(2)<sup>1</sup> The mayor is hereby directed to amend the social security agreement between the State Old Age and Survivors Insurance Agency and the City of Camden, Tennessee so as to exclude services of election officials and election workers if the remuneration paid in a calendar year is less than \$100, to be effective not earlier than the last day of the calendar quarter in which a

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<sup>1</sup>Ordinance #EWJ-16-A amended this chapter but did not specify which section. This subsection was added to exclusions as the amendment deals with further exclusions.

modification to the agreement is mailed to the Social Security Administration, pursuant to provisions of federal law and regulations. (1972 Code, § 1-706, as amended by Ord. #EWJ-16-A, March 1988)

## CHAPTER 2

### VACATIONS, SICK LEAVE, AND COMPENSATION FOR INJURED EMPLOYEES

#### SECTION

- 4-201. Applicability of chapter.
- 4-202. Vacation leave.
- 4-203. Sick leave.
- 4-204. Elective officers, sick leave.
- 4-205. Leave records.
- 4-206. Part-time employees not entitled to leave.
- 4-207. Compensation for employees injured in the line of duty.

**4-201. Applicability of chapter.** This chapter shall apply to all full-time municipal officers and employees. (1972 Code, § 1-801)

**4-202. Vacation leave.** During each calendar year, all officers and employees who have served the City of Camden for more than one (1) year and less than five (5) years shall receive forty (40) hours vacation with full compensation. Any employee who has served the city for five (5) years or more shall receive eighty (80) hours vacation with full compensation. Any employee who has served the city for ten (10) years or more shall receive one-hundred twenty (120) hours vacation with full compensation. Any employee who has served the city for twenty (20) years or more shall receive one-hundred sixty (160) hours vacation with full compensation. Vacations are not cumulative and shall be taken during the year in which they occur, or same shall be waived. Legal holidays and regularly scheduled days off do not constitute a part of their vacations. (1972 Code, § 1-802, as amended by Ord. #HK-4, Sept. 1991)

**4-203. Sick leave.** It appears that the city employees who have served the City of Camden for one (1) year or more shall be entitled to twelve (12) days sick leave with full compensation. The employees are not eligible to accrue sick pay benefits until the successful completion of the first year of employment. Employees will be eligible to accrue one (1) sick day per month. Sick leave not taken shall be cumulative with no maximum number of days employees can accumulate. Upon an employee being eligible for retirement, said employee shall be entitled to accelerate the retirement date by the number of accumulated sick leave days the employee has accumulated. All sick leave will be supervised by the board, mayor, and alderpersons and is hereby authorized to promulgate and adopt rules, regulations, and sick leave policies as the board deems necessary and proper from time to time. (Ord. #HK-5, Sept. 1991, modified, as amended by Ord. #EWJ-01-2012-2, April 2012)

**4-204. Elective officers, sick leave.** Should any elective officer be absent from duty because of sickness for more than sixty (60) days, his salary shall cease and shall not be renewed or reinstated until he returns to active duty, except absence from duty for injuries or sickness caused by injuries arising in the line of duty. (1972 Code, § 1-804)

**4-205. Leave records.** The recorder shall cause to be kept, for each officer and employee, a record currently up to date at all times showing credits earned and leave taken under this chapter. (1972 Code, § 1-805)

**4-206. Part-time employees not entitled to leave.** Part-time employees and temporary officers are expressly excluded from benefit of vacation and sick leave. (1972 Code, § 1-806)

**4-207. Compensation for employees injured in the line of duty.** Any regularly employed person of the City of Camden who has been so employed for more than six (6) months and who shall be injured while performing his duties as an employee of the city and who is required to be off from work due to said injuries shall be entitled to draw his full salary for a period of sixty (60) days from date of injury, and thereafter said employee shall draw Workman's Compensation benefits only. During said sixty (60) days period the employee shall assign his Workman's Compensation benefits to the City of Camden in order to receive the full salary benefits provided herein. (1972 Code, § 1-807)

### CHAPTER 3

#### DRUG AND ALCOHOL TESTING

##### SECTION

4-301. City adopts a drug and alcohol testing policy.

4-302. Drug and alcohol policy.

**4-301. City adopts a drug and alcohol testing policy.**<sup>1</sup> The City of Camden through its board of mayor and aldermen, does hereby adopt a policy to provide for the random drug and alcohol testing of all city employees who hold a commercial driver's license from the division of transportation. Said drug testing shall be conducted by the city clerk or one of her designates upon request of the various department heads. (Ord. #GWO-30, Aug. 1996)

**4-302. Drug and alcohol policy.** The city is committed to maintaining the safety and health of its employees and to protect the public from risks which result from employee drug or alcohol induced behavior. The city will act to eliminate any substance abuse (alcohol, illegal drugs, prescription drugs or any other substance which could impair an employee's ability to safely and effectively perform the functions of the particular job) which increases the potential for accidents, absenteeism, substandard performance, poor employee morale or damage to the city's reputation. Employees are prohibited from the use, possession and sale of drugs, alcohol or any other controlled substance on city property or in city vehicles. Employees must be free from drug or alcohol dependence, illegal drug use, or drug/alcohol abuse while on duty. (as added by Ord. #RP-09142015-2, Oct. 2015)

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<sup>1</sup>A complete copy of the drug and alcohol testing policy is of record in the office of the recorder.

## CHAPTER 4

### OCCUPATIONAL SAFETY AND HEALTH PROGRAM

#### SECTION

- 4-401. Title.
- 4-402. Purpose.
- 4-403. Coverage.
- 4-404. Standards authorized.
- 4-405. Variances from standards authorized.
- 4-406. Administration.
- 4-407. Funding the program.

**4-401. Title.** This section shall provide authority for establishing and administering the Occupational Safety and Health Program for the employees of the City of Camden, Tennessee. (Ord. #GWO-21, April 1995, as replaced by Ord. #JT2002-3, Aug. 2002)

**4-402. Purpose.** The City of Camden, in electing to establish and maintain an effective occupational safety and health program for its employees, shall:

- (1) Provide a safe and healthful place and condition of employment.
- (2) Make, keep, preserve and make available to the Commissioner of Labor of the State of Tennessee, his designated representatives, or persons within the Tennessee Department of Labor to whom such responsibilities have been delegated, adequate records of all occupational accidents and illnesses and personal injuries for proper evaluation and necessary corrective action as required.
- (3) Provide for education and training of personnel for the fair and efficient administration of occupational safety and health standards, and provide for education and notification of all employees of the existence of this program. (Ord. #GWO-21, April 1995, as replaced by Ord. #JT2002-3, Aug. 2002)

**4-403. Coverage.** The provisions of the occupational safety and health program for the employees of the City of Camden shall apply to all employees of each administrative department, commission, board, division, or other agency of the City of Camden whether part-time or full-time, seasonal or permanent. (Ord. #GWO-21, April 1995, as replaced by Ord. #JT2002-3, Aug. 2002)

**4-404. Standards authorized.** The occupational safety and health standards adopted by the City of Camden are the same as, but not limited to, the State of Tennessee Occupational Safety and Health Standards promulgated, or which may be promulgated, in accordance with Section 6 of the Tennessee

Occupational Safety and Health Act of 1972 (Tennessee Code Annotated, title 50, chapter 3). (Ord. #GWO-21, April 1995, as replaced by Ord. #JT2002-3, Aug. 2002)

**4-405. Variances from standards authorized.** The City of Camden may, upon written application to the Commissioner of Labor of the State of Tennessee, request an order granting a temporary variance from any approved standards. Applications for variances shall be in accordance with Rules of Tennessee Department of Labor, Occupational Safety, chapter 0800-1-2, as authorized by Tennessee Code Annotated, title 50. Prior to requesting such temporary variance, the City of Camden shall notify or serve notice to employees, their designated representatives, or interested parties and present them with an opportunity for a hearing. The posting of notice on the main bulletin board as designated by the City of Camden shall be deemed sufficient notice to employees. (Ord. #GWO-21, April 1995, as replaced by Ord. #JT2002-3, Aug. 2002)

**4-406. Administration.** For the purpose of this chapter, (Name of Office) Gary Farmer is designated as the director of occupational safety and health to perform duties and to exercise powers assigned so as to plan, develop, and administer City of Camden. The director shall develop a plan of operation<sup>1</sup> for the program and said plan shall become a part of this chapter when it satisfies all applicable sections of the Tennessee Occupational Safety and Health Act of 1972 and Part IV of the Tennessee Occupational Safety and Health Plan. (Ord. #GWO-21, April 1995, as replaced by Ord. JT2002-03, Aug. 2002)

**4-407 Funding the program.** Sufficient funds for administering and staffing the program pursuant to this chapter shall be made available as authorized by the City of Camden. (Ord. #GWO-21, April 1995, as replaced by Ord. #JT2002-3, Aug. 2002)

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<sup>1</sup>The plan of operation has been added as Appendix A to the Camden Municipal Code and placed behind the parallel reference table. See page APPA-1.



## CHAPTER 5

### TRAVEL REIMBURSEMENT REGULATIONS

#### SECTION

- 4-501. Purpose.
- 4-502. Enforcement.
- 4-503. Travel policy.
- 4-504. Travel reimbursement rate schedule.
- 4-505. Administrative procedures.

**4-501. Purpose.** The purpose of this chapter and referenced regulations is to bring the city into compliance with Public Acts 1993, Chapter 433. This act requires Tennessee municipalities to adopt travel and expense regulations covering expenses incurred by "any mayor and any member of the local governing body and any board or committee member elected or appointed by the mayor or local governing body, and any official or employee of the municipality whose salary is set by charter or general law."

To provide consistent travel regulations and reimbursement, this chapter is expanded to cover regular employees. It's the intent of this policy to assure fair and equitable treatment to all individuals traveling on city business at city expense. (Ord. #GWO-2, Sept. 1993)

**4-502. Enforcement.** The chief administrative officer (CAO) of the city or his or her designee shall be responsible for the enforcement of these travel regulations. (Ord. #GWO-2, Sept. 1993)

**4-503. Travel policy.** (1) In the interpretation and application of this chapter, the term "traveler" or "authorized travel" means any elected or appointed municipal officer or employee, including members of municipal boards and committees appointed by the mayor or the municipal governing body, and the employees of such boards and committees who are traveling on official municipal business and whose travel was authorized in accordance with this chapter. "Authorized traveler" shall not include the spouse, children, other relatives, friends, or companions accompanying the authorized traveler on city business, unless the person(s) otherwise qualifies as an authorized traveler under this chapter.

(2) Authorized travelers are entitled to reimbursement of certain expenditures incurred while traveling on official business for the city. Reimbursable expenses shall include expenses for transportation; lodging; meals; registration fees for conferences, conventions, and seminars; and other actual and necessary expenses related to official business as determined by the CAO. Under certain conditions, entertainment expenses may be eligible for reimbursement.

(3) Authorized travelers can request either a travel advance for the projected cost of authorized travel, or advance billing directly to the city for registration fees, air fares, meals, lodging, conferences, and similar expenses.

Travel advance requests aren't considered documentation of travel expenses. If travel advances exceed documented expenses, the traveler must immediately reimburse the city. It will be the responsibility of the CAO to initiate action to recover any undocumented travel advances.

(4) Travel advances are available only for special travel and only after completion and approval of the travel authorization form.

(5) The travel expense reimbursement form will be used to document all expense claims.

(6) To qualify for reimbursement, travel expenses must be:

(a) Directly related to the conduct of the city business for which travel was authorized, and

(b) Actual, reasonable, and necessary under the circumstances.

The CAO may make exceptions for unusual circumstances.

Expenses considered excessive won't be allowed.

(7) Claims of \$5 or more for travel expense reimbursement must be supported by the original paid receipt for lodging, vehicle rental, phone call, public carrier travel, conference fee, and other reimbursable costs.

(8) Any person attempting to defraud the city or misuse city travel funds is subject to legal action for recovery of fraudulent travel claims and/or advances.

(9) Mileage and motel expenses incurred within the city aren't ordinarily considered eligible expenses for reimbursement. (Ord. #GWO-2, Sept. 1993)

**4-504. Travel reimbursement rate schedule.** Authorized travelers shall be reimbursed according to the federal travel regulation rates. The city's travel reimbursement rates will automatically change when the federal rates are adjusted.

The municipality may pay directly to the provider for expenses such as meals, lodging, and registration fees for conferences, conventions, seminars, and other education programs. (Ord. #GWO-2, Sept. 1993)

**4-505. Administrative procedures.** The city adopts and incorporates by reference--as if fully set out herein--the administrative procedures submitted by MTAS to, and approved by letter by, the Comptroller of the Treasury, State of Tennessee, in June 1993. A copy of the administrative procedures is on file in the office of the city recorder.

This chapter shall take effect upon its final reading by the municipal governing body. It shall cover all travel and expenses occurring on or after July 1, 1993. (Ord. #GWO-2, Sept. 1993)

**CHAPTER 6**

**EMPLOYEE'S RETIREMENT PROGRAM**

**SECTION**

4-601. Tennessee Consolidated Retirement System.

**4-601. Tennessee Consolidated Retirement System.** The employees of all departments of the City of Camden shall be eligible to participate in the Tennessee Consolidated Retirement System pursuant to resolutions adopted by the city council.<sup>1</sup>

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<sup>1</sup>Resolutions are available for inspection in the office of the recorder.